

EDUCATION DEPARTMENT [281]

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 83, "Teacher Quality Program," Iowa Administrative Code.

2008 Iowa Acts, chapter 1181, section 76, amended the definition of "teacher." Item 1 parallels the statutory change. Item 2 addresses a concern raised to the Department earlier regarding a beginning teacher who possesses an evaluator license and who was evaluating other teachers. While Iowa Code section 284.10 states that preference in enrollment in evaluator training offerings shall be given to administrators, it is possible for teachers to enroll in evaluator training and obtain certification from the Board of Educational Examiners enabling them to evaluate other teachers. The amendment in Item 2 gives more guidance to districts that face this situation.

Notice of Intended Action was published in the January 14, 2009, Iowa Administrative Bulletin as ARC #7489B. Public comments were allowed until close of business on February 3, 2009. No written or oral comments were received.

These amendments are identical to those published under Notice.

An agencywide waiver provision is provided in 281—Chapter 4.

These amendments are intended to implement 2008 Iowa Acts, chapter 1181, section 76, and Iowa Code chapter 284.

The following amendments are adopted.

**ITEM 1.** Amend rule **281—83.2(284,284A)**, definition of "Teacher," as follows:

"Teacher" means an individual holding a practitioner's license or a statement of professional recognition issued under Iowa Code chapter 272, who is employed in a nonadministrative position by a school district or area education agency pursuant to a contract issued by a board of directors under Iowa Code section 279.13. A teacher may be employed in both an administrative and a nonadministrative position by a board of directors and shall be considered a part-time teacher for the portion of time that the teacher is employed in a nonadministrative position. ~~"Teacher" includes a licensed individual employed on a less than full-~~

~~time basis by a school district through a contract between the school district and an institution of higher education with a practitioner preparation program in which the licensed teacher is enrolled.~~

**ITEM 2.** Amend rule **281—83.5(284)**, introductory paragraph, as follows:

**281—83.5(284) Evaluator approval training.** The department shall approve eligible providers and their programs to conduct evaluator training. Only individuals certified through programs approved by the department shall qualify for evaluator certification by the board of educational examiners. A beginning teacher who has evaluator certification from the board of educational examiners shall not evaluate other teachers until the beginning teacher is no longer a probationary employee. Approved evaluator training programs shall be designed to align with the Iowa teaching standards and criteria, provide evaluators with the skills to conduct comprehensive evaluations and performance reviews as required by Iowa Code chapter 284, and provide for the evaluation of the progress made on individual professional development plans. This training for evaluators shall incorporate components of theory, demonstration, practice, and application of evaluation knowledge and skills.